

REMARKS

Claims 1, 3-7, 9-15 and 46-54 are all the claims pending in the application.

In response to the Amendment filed July 1, 2004, the Examiner has repeated the previous claim rejections. Thus, the status of the claims is the following.

Claim 51 is objected to because the Examiner believes that it is difficult to understand.

Claim 51 is amended herein to remove certain recitations of the claim.

Claims 1, 3, 11, 14, 15 and 49-54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over previously-cited Barron et al. (US 4,213,183) in view of previously-cited Wood et al. (US 5,715,823). Claims 4-7 and 46-48 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Barron et al. in view of Wood et al., and further in view of previously-cited Lather et al. (US 4,240,281). Claims 9, 10, 12 and 13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Barron et al. in view of Wood et al., and further in view of previously-cited La Pierre (US 5,951,611).

In the Amendment filed July 1, 2004, Applicant argued that the Barron and Wood references do not teach or suggest the features of the data being reception level data and the host computer further including a reception level comparison means for comparing most recent data of the reception level data or an average of continuous reception level data pieces containing the most recent data with a predetermined reception level setup value. The Examiner responded to this argument in the "Response to Arguments" of the current Office Action by citing col. 17, lines 40-42 of Barron as allegedly disclosing the above-recited feature of claims 1 and 11. The cited portion of Barron discloses a "means for comparing the waveform features with a known set of waveform features by a cluster test." As described in lines 35-39 of col. 17, the waveform

AMENDMENT UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/214,865

features are determined from a predetermined number of points on a selected portion of the waveform, which are processed according to a predetermined format. Applicant submits that such a disclosure is too ambiguous to correspond to the feature of claim 1 of a reception level comparison means for comparing most recent data of the reception level data or an average of continuous reception level data pieces containing the most recent data with a predetermined reception level setup value. Applicant submits that this ambiguity cannot be held against the Applicant. Instead, the ambiguity of the prior art should be held against the Examiner.

The Examiner contends that col. 6, lines 35-47 of Rauchwerger (US 3,710,244) provides “further evidence” that the above-recited feature of the claims is well known in the art. Applicant submits that Rauchwerger fails to support the Examiner’s contention. Rauchwerger relates to a capacitance probe for detecting moisture with very long cables. Rauchwerger’s device senses moisture in a solid or liquid medium by measuring capacitance between and across first and second conductive mediums. Thus, Rauchwerger is unrelated to the subject matter of the present invention, i.e., ultrasonic inspection systems. Moreover, the Examiner has not combined the teachings of Rauchwerger with Barron and Wood or provided a suggestion or motivation to make such a combination.

Therefore, claims 1 and 11 are allowable over the prior art.

Claims 3, 14 and 49-54 are allowable over the prior art, at least because of their dependence from claim 1.

With regard to claim 15, Applicant amends the claim, so that it depends from claim 1. Prior to the Amendment filed July 1, 2004, claim 15 depended from claim 1. Claim 15 is allowable at least because of its dependence from claim 1.

AMENDMENT UNDER 37 C.F.R. § 1.116
U. S. Application No. 09/214,865

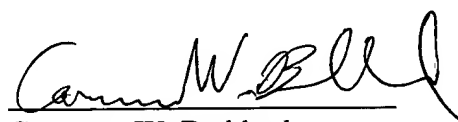
Applicant submits that claims 4-7 and 46-48 are allowable over the prior art, due to their dependence from claim 1, and because Lather et al. fails to make up for the above-described deficiencies of Barron and Wood.

For the rejection of claims 9, 10, 12 and 13, Applicant submits that these claims are allowable over the prior art, at least because of their dependence from claim 1, and because La Pierre fails to make up for the deficiencies of Barron and Wood described in relation to claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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